

103<sup>D</sup> CONGRESS  
1<sup>ST</sup> SESSION

# S. 1446

To help schools achieve the sixth goal of the National Education Goals, which provides that by the year 2000, every school in America will be free of drugs and violence and will offer a disciplined environment conducive to learning, by supporting school and communitywide efforts to make schools and neighborhoods safe and drug free.

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## IN THE SENATE OF THE UNITED STATES

SEPTEMBER 9 (legislative day, SEPTEMBER 7), 1993

Mr. WOFFORD introduced the following bill; which was read twice and referred to the Committee on Labor, and Human Resources

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## A BILL

To help schools achieve the sixth goal of the National Education Goals, which provides that by the year 2000, every school in America will be free of drugs and violence and will offer a disciplined environment conducive to learning, by supporting school and communitywide efforts to make schools and neighborhoods safe and drug free.

1        *Be it enacted by the Senate and House of Representa-*  
2        *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SAFE AND DRUG-FREE SCHOOLS AND COMMU-**  
2 **NITIES.**

3 Title V of the Elementary and Secondary Education  
4 Act of 1965 (20 U.S.C. 3171 et seq.) is amended to read  
5 as follows:

6 **“TITLE V—SAFE AND DRUG-FREE**  
7 **SCHOOLS AND COMMUNITIES**

8 **“SEC. 5001. FINDINGS.**

9 “The Congress finds that—

10 “(1) The sixth goal of the National Education  
11 Goals provides that by the year 2000, all schools in  
12 America will be free of drugs and violence and offer  
13 a disciplined environment that is conducive to learn-  
14 ing.

15 “(2) The widespread use of alcohol and other  
16 drugs among the Nation’s secondary school stu-  
17 dents, and increasingly by students in elementary  
18 schools as well, constitutes a grave threat to such  
19 students’ physical and mental well-being, and signifi-  
20 cantly impedes the learning process. For example,  
21 data show that students who drink tend to receive  
22 lower grades and are more likely to miss school be-  
23 cause of illness than students who do not drink.

24 “(3) Our Nation’s schools and communities are  
25 increasingly plagued by violence and crime. Approxi-  
26 mately 3,000,000 thefts and violent crimes occur in

1 or near our Nation's schools every year, the equiva-  
2 lent of more than 16,000 incidents per school day.  
3 Approximately 1 of every 5 high school students now  
4 carries a firearm, knife, or club on a regular basis.

5 “(4) The tragic consequences of violence and  
6 the illegal use of alcohol and other drugs by students  
7 are felt not only by students and such students' fam-  
8 ilies, but by such students' communities and the Na-  
9 tion, which can ill afford to lose such students'  
10 skills, talents, and vitality.

11 “(5) Alcohol and tobacco (nicotine) are the  
12 most widely used drugs among young people today.  
13 Both of these drugs can, and do, have adverse con-  
14 sequences for users, their families, communities,  
15 schools, and colleges. Drug prevention programs for  
16 youth that address only controlled drugs send an er-  
17 roneous message that alcohol and tobacco do not  
18 present significant problems, or that society is will-  
19 ing to overlook their use. To be credible, messages  
20 opposing illegal drug use by youth should address all  
21 drugs.

22 “(6) Drug and violence prevention programs  
23 are essential components of a comprehensive strat-  
24 egy to promote school safety and to reduce the de-  
25 mand for and use of drugs throughout the Nation.

1 Schools and local organizations in communities  
2 throughout the Nation have a special responsibility  
3 to work together to combat the growing epidemic of  
4 violence and illegal drug use and should measure the  
5 success of their programs against clearly defined  
6 goals and objectives.

7 “(7) Students must take greater responsibility  
8 for their own well-being, health, and safety if schools  
9 and communities are to achieve their goals of provid-  
10 ing a safe, disciplined, and drug-free learning envi-  
11 ronment.

12 **“SEC. 5002. PURPOSE.**

13 “The purpose of this title is to support programs to  
14 meet the sixth goal of the National Educational Goals by  
15 preventing violence in and around schools and by strength-  
16 ening programs that prevent the illegal use of alcohol and  
17 other drugs, involve parents, and are coordinated with re-  
18 lated Federal, State, and community efforts and re-  
19 sources, through the provision of Federal assistance to—

20 “(1) States for grants to local and intermediate  
21 educational agencies and consortia to establish, oper-  
22 ate, and improve local programs of school drug and  
23 violence prevention, early intervention, rehabilitation  
24 referral, and education in elementary and secondary

1 schools (including intermediate and junior high  
2 schools);

3 “(2) States for grants to, and contracts with,  
4 community-based organizations and other public and  
5 private nonprofit agencies and organizations for pro-  
6 grams of drug and violence prevention, early inter-  
7 vention, rehabilitation referral, and education;

8 “(3) States for development, training, technical  
9 assistance, and coordination activities;

10 “(4) institutions of higher education to estab-  
11 lish, operate, expand, and improve programs of  
12 school drug and violence prevention, education, and  
13 rehabilitation referral for students enrolled in col-  
14 leges and universities;

15 “(5) a national center to provide training and  
16 technical assistance to institutions providing post-  
17 secondary education in developing and implementing  
18 model programs and strategies to prevent violence  
19 and illegal drug use by students at such institutions;  
20 and

21 “(6) public and private nonprofit organizations  
22 to conduct training, demonstrations, research, and  
23 evaluation, and to provide supplementary services  
24 for the prevention of drug use and violence among  
25 students and youth.

1 **“SEC. 5003. AUTHORIZATION OF APPROPRIATIONS.**

2 “There are authorized to be appropriated—

3 “(1) such sums as may be necessary for each  
4 of fiscal years 1995 through 1999 for State grants  
5 under part A;

6 “(2) such sums as may be necessary for each  
7 of fiscal years 1995 through 1999 for postsecondary  
8 programs under part B; and

9 “(3) such sums as may be necessary for each  
10 of fiscal years 1995 through 1999 for national pro-  
11 grams under part C.

12 **“PART A—STATE GRANTS FOR DRUG AND**  
13 **VIOLENCE PREVENTION PROGRAMS**

14 **“SEC. 5101. RESERVATIONS AND ALLOTMENTS.**

15 “(a) RESERVATIONS.—From the amount appro-  
16 priated for each fiscal year pursuant to the authority of  
17 section 5003(1), the Secretary—

18 “(1) shall reserve not more than  $\frac{1}{2}$  of 1 per-  
19 cent of such amount for grants under this part to  
20 Guam, American Samoa, the Virgin Islands, the  
21 Commonwealth of the Northern Mariana Islands,  
22 and Palau (until the effective date of the Compact  
23 of Free Association with the Government of Palau),  
24 to be allotted in accordance with the Secretary’s de-  
25 termination of their respective needs;

1           “(2) shall reserve not more than 1 percent of  
2       such amount for the Secretary of the Interior to  
3       carry out programs under this part for Indian youth;  
4       and

5           “(3) may reserve not more than \$1,000,000 for  
6       the national impact evaluation required by section  
7       5108(a).

8       “(b) STATE ALLOTMENTS.—

9           “(1) IN GENERAL.—Except as provided under  
10      paragraph (2), the Secretary shall, for each fiscal  
11      year, allocate among the States—

12           “(A) one-half of the remainder not re-  
13      served under subsection (a) according to the  
14      ratio between the school-aged population of  
15      each State and the school-aged population of all  
16      the States; and

17           “(B) one-half of such remainder according  
18      to the ratio between the amount each State re-  
19      ceived under chapter 1 of title I of this Act for  
20      the preceding year (or, for fiscal year 1995  
21      only, sections 1005 and 1006 of this Act as in  
22      effect on the day before enactment of the Im-  
23      proving America’s Schools Act of 1993) and the  
24      sum of such amounts received by all the States.

1           “(2) MINIMUM.—For any fiscal year, no State  
2           shall be allotted under this subsection an amount  
3           that is less than  $\frac{1}{2}$  of 1 percent of the total amount  
4           allotted to all the States under this subsection.

5           “(3) REALLOTMENT.—The Secretary may  
6           reallot any amount of any allotment to a State if the  
7           Secretary determines that the State will be unable to  
8           use such amount within 2 years of such allotment.  
9           Such reallotments may be made on whatever basis  
10          the Secretary determines would best serve the pur-  
11          poses of this title.

12          “(4) DEFINITION.—For the purpose of this  
13          subsection, the term ‘State’ means each of the 50  
14          States, the District of Columbia, and the Common-  
15          wealth of Puerto Rico.

16   **“SEC. 5102. STATE DRUG AND VIOLENCE PREVENTION CO-**  
17                           **ORDINATING COUNCIL.**

18          “(a) ESTABLISHMENT OF COUNCIL.—No State may  
19          receive its allotment under section 5101 unless its chief  
20          executive officer establishes a State Drug and Violence  
21          Prevention Coordinating Council (hereafter in this part re-  
22          ferred to as the ‘Council’) (or designates an existing body  
23          to perform the functions of such a Council) to advise him  
24          or her and the chief State school officer on the develop-



1 ment and implementation of the State's application under  
2 section 5103.

3 “(b) MEMBERSHIP.—

4 “(1) IN GENERAL.—The chief executive officer,  
5 the chief State school officer, the head of the State  
6 alcohol and drug abuse agency, the heads of the  
7 State health and mental health agencies, and the  
8 head of the State criminal justice planning agency,  
9 or their designees, shall be members of the Council.

10 “(2) ADDITIONAL MEMBERS.—The chief execu-  
11 tive officer shall also appoint representatives of other  
12 appropriate State agencies or offices as members of  
13 the Council.

14 “(c) FUNCTIONS OF COUNCIL.—The Council estab-  
15 lished or designated under this section shall—

16 “(1) review and comment on the development of  
17 the State's application under section 5103, including  
18 the chief executive officer's and State educational  
19 agency's comprehensive plans under subsections (b)  
20 and (c) of section 5103;

21 “(2) disseminate information about drug and  
22 violence prevention initiatives within the State, in-  
23 cluding programs funded under sections 5104 and  
24 5105;

1           “(3) advise the chief executive officer and the  
2       State educational agency on how to coordinate the  
3       State’s activities under this part with other available  
4       resources; and

5           “(4) advise the chief executive officer and the  
6       State educational agency on the planning and imple-  
7       mentation of program evaluation activities and make  
8       recommendations on how to improve the State’s pro-  
9       gram, including the formulation of measurable goals.

10   **“SEC. 5103. STATE APPLICATIONS.**

11       “(a) IN GENERAL.—In order to receive its allotment  
12   under section 5101 for any fiscal year, a State shall sub-  
13   mit to the Secretary, at such time as the Secretary may  
14   require, an application that—

15           “(1)(A)(i) is integrated into the State’s plan, ei-  
16       ther approved or being developed, under title III of  
17       the Goals 2000: Educate America Act, and satisfies  
18       the requirements of this section that are not already  
19       addressed by that plan; and

20           “(ii) is submitted, if necessary, as an amend-  
21       ment to the State’s plan under title III of the Goals  
22       2000: Education America Act; or

23           “(B) if the State does not have an approved  
24       plan under title III of the Goals 2000: Educate  
25       America Act and is not developing such a plan, is

1 integrated with other State plans under this Act and  
2 satisfies the requirements of this section;

3 “(2) contains the results of the State’s needs  
4 assessment for drug and violence prevention pro-  
5 grams, which shall be based on the results of ongo-  
6 ing State evaluation activities, including data on the  
7 prevalence of drug use and violence by youth in  
8 schools and communities;

9 “(3) contains a list of the members, and the in-  
10 terests or organizations such members represent, of  
11 the State Drug and Violence Prevention Coordinat-  
12 ing Council;

13 “(4) contains a description of the procedures  
14 the State educational agency will use to review appli-  
15 cations from local educational agencies under section  
16 5106;

17 “(5) contains an assurance that the State will  
18 cooperate with, and assist, the Secretary in conduct-  
19 ing a national impact evaluation of programs re-  
20 quired by section 5108(a); and

21 “(6) includes any other information the Sec-  
22 retary may require.

23 “(b) GOVERNOR’S FUNDS.—A State’s application  
24 under this section shall also contain a comprehensive plan

1 for the use of funds under section 5104(a) by the chief  
2 executive officer that includes—

3 “(1) a statement of the chief executive officer’s  
4 measurable goals and objectives for drug and vio-  
5 lence prevention and a description of the procedures  
6 to be used for assessing and publicly reporting  
7 progress toward meeting those goals and objectives;

8 “(2) a description of how the chief executive of-  
9 ficer will coordinate his or her activities under this  
10 part with the State educational agency and other  
11 State agencies and organizations involved with drug  
12 and violence prevention efforts;

13 “(3) a description of how funds reserved under  
14 section 5104(a) will be used so as not to duplicate  
15 the efforts of the State educational agency and local  
16 educational agencies with regard to the provision of  
17 school-based prevention efforts and services and how  
18 those funds will be used to serve populations not  
19 normally served by the State educational agency,  
20 such as school dropouts and youth in detention cen-  
21 ters;

22 “(4) a description of how the chief executive of-  
23 ficer will award funds under section 5104(a) and a  
24 plan for monitoring the performance of, and provid-

1       ing technical assistance to, recipients of such funds;  
2       and

3           “(5) a description of how funds will be used to  
4       support communitywide comprehensive drug and vio-  
5       lence prevention planning.

6       “(c) STATE EDUCATIONAL AGENCY FUNDS.—A  
7       State’s application under this section shall also contain a  
8       comprehensive plan for the use of funds under section  
9       5105(a) by the State educational agency that includes—

10           “(1) a statement of the State educational agen-  
11       cy’s measurable goals and objectives for drug and vi-  
12       olence prevention and a description of the proce-  
13       dures such agency will use for assessing and publicly  
14       reporting progress toward meeting those goals and  
15       objectives;

16           “(2) a plan for monitoring the implementation  
17       of, and providing technical assistance regarding, the  
18       drug and violence prevention programs conducted by  
19       local educational agencies in accordance with section  
20       5107;

21           “(3) a description of how the State educational  
22       agency will use funds such agency reserves under  
23       section 5105(b);

24           “(4) a description of how the State educational  
25       agency will coordinate such agency’s activities under

1       this part with the chief executive officer's drug and  
2       violence prevention programs under this part and  
3       with the prevention efforts of other State agencies;  
4       and

5           “(5) an explanation of the criteria the State  
6       educational agency will use to identify which local  
7       educational agencies receive supplemental funds  
8       under section 5105(d)(2)(A)(ii) and how the supple-  
9       mental funds will be allocated among those local  
10      educational agencies.

11      “(d) PEER REVIEW.—The Secretary shall use a peer  
12      review process in reviewing State applications under this  
13      section.

14      “(e) INTERIM APPLICATION.—Notwithstanding any  
15      other provisions of this section, a State may submit for  
16      fiscal year 1995 a 1-year interim application and plan for  
17      the use of funds under this part that are consistent with  
18      the requirements of this section and contain such informa-  
19      tion as the Secretary may specify in regulations. The pur-  
20      pose of such interim application and plan shall be to afford  
21      the State the opportunity to fully develop and review the  
22      State's application and comprehensive plan otherwise re-  
23      quired by this section. A State may not receive a grant  
24      under this part for a fiscal year subsequent to fiscal year

1 1995 unless the Secretary has approved the State's appli-  
2 cation and comprehensive plan.

3 **"SEC. 5104. GOVERNOR'S PROGRAMS.**

4 "(a) USE OF FUNDS.—

5 "(1) IN GENERAL.—An amount equal to 20  
6 percent of the total amount allocated to a State  
7 under section 5101 for each fiscal year shall be used  
8 by the chief executive officer of such State for drug  
9 and violence prevention programs and activities in  
10 accordance with this section.

11 "(2) ADMINISTRATION.—A chief executive offi-  
12 cer may use not more than 5 percent of the amount  
13 reserved under subsection (a)(1) for the administra-  
14 tive costs incurred in carrying out the duties of such  
15 officer under this section, including the cost of the  
16 State Drug and Violence Prevention Coordinating  
17 Council under section 5102(a).

18 "(b) PROGRAMS AUTHORIZED.—

19 "(1) IN GENERAL.—A chief executive officer  
20 shall use funds reserved under subsection (a)(1) for  
21 awarding grants to or entering into contracts with  
22 parent groups, community action and job training  
23 agencies, community-based organizations, and other  
24 public entities and private nonprofit organizations.  
25 Such grants or contracts shall support programs and

1 activities described in subsection (c) for children and  
2 youth who are not normally served by State or local  
3 educational agencies, for populations that need spe-  
4 cial services or additional resources (such as pre-  
5 schoolers, youth in juvenile detention facilities, run-  
6 away or homeless children and youth, and dropouts),  
7 or both.

8 “(2) PEER REVIEW.—Grants or contracts  
9 awarded under this subsection shall be subject to a  
10 peer review process.

11 “(c) AUTHORIZED ACTIVITIES.—Grants and con-  
12 tracts under subsection (b) shall be used for programs and  
13 activities such as—

14 “(1) disseminating information about drug and  
15 violence prevention;

16 “(2) training parents, law enforcement officials,  
17 judicial officials, social service providers, health serv-  
18 ice providers and community leaders about drug and  
19 violence prevention, education, early intervention,  
20 counseling, or rehabilitation referral;

21 “(3) developing and implementing comprehen-  
22 sive, community-based drug and violence prevention  
23 programs that link community resources with  
24 schools and integrate services involving education,  
25 vocational and job skills training, law enforcement,



1 health, mental health, and other appropriate serv-  
2 ices;

3 “(4) planning and implementing drug and vio-  
4 lence prevention activities that coordinate the efforts  
5 of State agencies with those of the State educational  
6 agency and its local educational agencies;

7 “(5) activities to protect students traveling to  
8 and from school;

9 “(6) developing and implementing strategies to  
10 prevent illegal gang activity;

11 “(7) coordinating and conducting community-  
12 wide violence and safety assessments and surveys;  
13 and

14 “(8) evaluating programs and activities under  
15 this section.

16 **“SEC. 5105. STATE AND LOCAL EDUCATIONAL AGENCY PRO-**  
17 **GRAMS.**

18 “(a) USE OF FUNDS.—An amount equal to 80 per-  
19 cent of the total amount allocated to a State under section  
20 5101 for each fiscal year shall be used by the State edu-  
21 cational agency and its local educational agencies for drug  
22 and violence prevention activities in accordance with this  
23 section.

24 “(b) STATE LEVEL PROGRAMS.—

1           “(1) IN GENERAL.—A State educational agency  
2 shall use not more than 5 percent of the amount re-  
3 served under subsection (a) for activities such as—

4                   “(A) training and technical assistance con-  
5 cerning drug and violence prevention for local  
6 and intermediate educational agencies, includ-  
7 ing teachers, administrators, coaches and ath-  
8 letic directors, other educational personnel, par-  
9 ents, students, community leaders, health serv-  
10 ice providers, local law enforcement officials,  
11 and judicial officials;

12                   “(B) the development, identification, dis-  
13 semination and evaluation of the most readily  
14 available, accurate, and up-to-date curriculum  
15 materials, for consideration by local educational  
16 agencies;

17                   “(C) demonstration projects in drug and  
18 violence prevention;

19                   “(D) financial assistance to enhance re-  
20 sources available for drug and violence preven-  
21 tion in areas serving large numbers of economi-  
22 cally disadvantaged children or sparsely popu-  
23 lated areas, or to meet other special needs con-  
24 sistent with the purposes of this part; and

1           “(E) evaluation activities required by this  
2           part.

3           “(2) SPECIAL RULE.—A State educational  
4           agency may carry out activities under this subsection  
5           directly, or through grants or contracts.

6           “(c) STATE ADMINISTRATION.—A State educational  
7           agency may use not more than 5 percent of the amount  
8           reserved under subsection (a) for the administrative costs  
9           of carrying out such agency’s responsibilities under this  
10          part.

11          “(d) LOCAL EDUCATIONAL AGENCY PROGRAMS.—

12           “(1) IN GENERAL.—A State educational agency  
13           shall distribute not less than 90 percent of the  
14           amount reserved under subsection (a) for each fiscal  
15           year to local educational agencies in accordance with  
16           this subsection.

17           “(2) DISTRIBUTION.—(A) Of the amount dis-  
18           tributed under paragraph (1), a State educational  
19           agency shall distribute—

20           “(i) 70 percent of such amount to local  
21           educational agencies, based on the relative en-  
22           rollments in public and private nonprofit  
23           schools within the boundaries of such local edu-  
24           cational agencies; and

1           “(ii) 30 percent of such amount to local  
2           educational agencies that the State educational  
3           agency determines have the greatest need for  
4           additional funds to carry out drug and violence  
5           prevention programs authorized by this part.

6           “(B)(i) A State educational agency shall dis-  
7           tribute funds under subparagraph (A)(ii) to not  
8           more than 10 percent of its local educational agen-  
9           cies, or 5 such agencies, whichever is greater.

10          “(ii) In determining which local educational  
11          agencies have the greatest need for additional funds,  
12          the State educational agency shall consider factors  
13          such as—

14               “(I) high rates of alcohol or other drug use  
15               among youth;

16               “(II) high rates of victimization of youth  
17               by violence and crime;

18               “(III) high rates of arrests and convictions  
19               of youth for violent or drug- or alcohol-related  
20               crime;

21               “(IV) the extent of illegal gang activity;

22               “(V) high rates of referrals of youths to  
23               drug and alcohol abuse treatment and rehabili-  
24               tation programs;

1           “(VI) high rates of referrals of youths to  
2           juvenile court; and

3           “(VII) high rates of expulsions and sus-  
4           pensions of students from schools.

5           “(e) REALLOCATION OF FUNDS.—If a local edu-  
6           cational agency chooses not to apply to receive the amount  
7           allocated to such agency under subsection (d), or if its ap-  
8           plication under section 5106 is disapproved by the State  
9           educational agency, the State educational agency shall re-  
10          allocate such amount to 1 or more of the local educational  
11          agencies determined by the State educational agency  
12          under subsection (d)(2)(B)(ii) to have the greatest need  
13          for additional funds.

14       **“SEC. 5106. LOCAL APPLICATIONS.**

15           “(a) APPLICATION REQUIRED.—

16           “(1) IN GENERAL.—In order to be eligible to  
17          receive a distribution under section 5105(d) for any  
18          fiscal year, a local educational agency shall submit,  
19          at such time as the State educational agency shall  
20          require, an application to the State educational  
21          agency for approval. Such an application shall be  
22          amended, as necessary, to reflect changes in the  
23          local educational agency’s program.

24           “(2) CONSULTATION.—(A) A local educational  
25          agency shall develop its application under paragraph

1 (1) in consultation with a local or substate regional  
2 advisory council that includes, to the extent possible,  
3 representatives of local government, business, par-  
4 ents, students, teachers, appropriate State agencies,  
5 private schools, the medical profession, law enforce-  
6 ment, community-based organizations, and other  
7 groups with interest and expertise in drug and vio-  
8 lence prevention.

9 “(B) In addition to assisting the local edu-  
10 cational agency to develop its application under this  
11 section, the advisory council established or des-  
12 ignated under subparagraph (A) shall, on an ongo-  
13 ing basis—

14 “(i) disseminate information about drug  
15 and violence prevention programs, projects, and  
16 activities conducted within the boundaries of  
17 the local educational agency;

18 “(ii) advise the local educational agency on  
19 how best to coordinate its activities under this  
20 part with—

21 “(I) other related programs, projects,  
22 and activities; and

23 “(II) the agencies that administer  
24 such programs, projects, and activities;  
25 and

1           “(iii) review program evaluations and other  
2           relevant material and make recommendations to  
3           the local educational agency on how to improve  
4           such agency’s drug and violence prevention pro-  
5           grams.

6           “(b) CONTENTS OF APPLICATIONS.—An application  
7           under this section shall contain—

8           “(1) a needs assessment of the current alcohol,  
9           tobacco, and other drug problems as well as the vio-  
10          lence, safety, and discipline problems among stu-  
11          dents who attend the schools of the applicant (in-  
12          cluding private school students who participate in  
13          the applicant’s drug and violence prevention pro-  
14          gram) that is based on ongoing local assessment or  
15          evaluation activities;

16          “(2) a detailed explanation of the local edu-  
17          cational agency’s comprehensive plan for drug and  
18          violence prevention, which shall include a description  
19          of—

20                 “(A) how that plan is consistent with, and  
21                 promotes the goals in, the State’s application  
22                 under section 5103 and the local educational  
23                 agency’s plan, either approved or being devel-  
24                 oped, under title III of the Goals 2000: Educate  
25                 America Act;

1           “(B) the local educational agency’s meas-  
2           urable goals for drug and violence prevention,  
3           and a description of how such agency will as-  
4           sess and publicly report progress toward attain-  
5           ing these goals;

6           “(C) if the local educational agency intends  
7           to use funds under this part to implement an  
8           expanded drug and violence prevention program  
9           under section 5107(c), an explanation of how  
10          the local educational agency is already meeting  
11          the requirements of a basic drug and violence  
12          prevention program under section 5107(b), re-  
13          gardless of the source of funds used;

14          “(D) how the local educational agency will  
15          use its regular allocation under section  
16          5105(d)(2)(A)(i) and its supplemental alloca-  
17          tion, if any, under section 5105(d)(2)(A)(ii);

18          “(E) how the local educational agency will  
19          coordinate its programs and projects with com-  
20          munitywide efforts to achieve its goals for drug  
21          and violence prevention; and

22          “(F) how the local educational agency will  
23          coordinate its programs and projects with other  
24          Federal, State, and local programs for drug-



1 abuse prevention, including health programs;  
2 and

3 “(3) such other information and assurances as  
4 the State educational agency may reasonably re-  
5 quire.

6 “(c) REVIEW OF APPLICATION.—

7 “(1) IN GENERAL.—A State educational agency  
8 shall use a peer review process in reviewing local  
9 educational agency applications under this section.

10 “(2) CONSIDERATIONS.—(A) In determining  
11 whether to approve the application of a local edu-  
12 cational agency under this section, a State edu-  
13 cational agency shall consider the quality of the local  
14 educational agency’s comprehensive plan under sub-  
15 section (b)(2) and the extent to which such plan is  
16 consistent with, and supports, the State’s application  
17 under section 5103 and the State’s plan under the  
18 Goals 2000: Educate America Act.

19 “(B) A State educational agency shall not per-  
20 mit a local educational agency to use funds under  
21 this part to implement an expanded drug and vio-  
22 lence prevention program under section 5107(c) un-  
23 less the State educational agency determines that  
24 the local educational agency is already meeting (re-  
25 gardless of the source of funds) the requirements of

1 a basic drug and violence prevention program under  
2 section 5107(b).

3 “(C) A State educational agency may dis-  
4 approve a local educational agency application under  
5 this section in whole or in part and may withhold,  
6 limit, or place restrictions on the use of funds allot-  
7 ted to such a local educational agency in a manner  
8 the State educational agency determines will best  
9 promote the purposes of this part or the State’s plan  
10 under the Goals 2000: Educate America Act.

11 **“SEC. 5107. LOCAL DRUG AND VIOLENCE PREVENTION PRO-**  
12 **GRAMS.**

13 “(a) USE OF FUNDS.—Except as permitted under  
14 subsection (c), a local educational agency shall use funds  
15 received under this part to adopt and implement a basic  
16 drug and violence prevention program described under  
17 subsection (b).

18 “(b) BASIC PROGRAM.—

19 “(1) IN GENERAL.—A basic drug and violence  
20 prevention program under this part shall—

21 “(A) be designed, for all students and em-  
22 ployees, to—

23 “(i) prevent the illegal use, possession,  
24 and distribution of alcohol, tobacco, and  
25 other drugs;

1                   “(ii) prevent violence and promote  
2                   school safety; and

3                   “(iii) create a disciplined environment  
4                   conducive to learning;

5                   “(B) include mandatory standards of con-  
6                   duct for students and employees, which clearly  
7                   describe the sanctions that will be imposed for  
8                   violations of the standards and which are dis-  
9                   tributed to all students, parents, and employees;

10                  “(C) include, with respect to drug preven-  
11                  tion—

12                   “(i) age-appropriate, developmentally  
13                   based education and prevention programs  
14                   for all students, from the early childhood  
15                   level through grade 12, that address the  
16                   legal, social, and health consequences of  
17                   the use of illegal drugs, promote a sense of  
18                   individual responsibility, and provide infor-  
19                   mation about effective techniques for re-  
20                   sisting peer pressure to use illegal drugs;

21                   “(ii) professional development pro-  
22                   grams for school personnel who provide the  
23                   education and prevention programs re-  
24                   quired by clause (i);

1           “(iii) activities to promote the involve-  
2           ment of parents and coordination with  
3           community groups and agencies, including  
4           the distribution of information about the  
5           local educational agency’s needs assess-  
6           ments, goals, and programs under clause  
7           (i); and

8           “(iv) the distribution of information  
9           to all students and employees about re-  
10          sources for drug and alcohol counseling,  
11          rehabilitation, and reentry programs that  
12          are available in the community; and

13          “(D) include, with respect to violence pre-  
14          vention—

15               “(i) age-appropriate, developmentally  
16               based education and prevention programs  
17               for all students, from the early childhood  
18               level through grade 12, that address the  
19               legal, personal, and social consequences of  
20               violent and disruptive behavior, including  
21               sexual harassment, and that include activi-  
22               ties designed to help students develop a  
23               sense of individual responsibility and re-  
24               spect for the rights of others, and to re-  
25               solve conflicts without violence;

1           “(ii) professional development pro-  
2           grams for school personnel who provide the  
3           education and prevention programs re-  
4           quired by clause (i);

5           “(iii) activities to promote the involve-  
6           ment of parents and coordination with  
7           community groups and agencies, including  
8           the distribution of information about the  
9           local educational agency’s needs assess-  
10          ment, goals and programs under clause (i);  
11          and

12          “(iv) the distribution of information  
13          to all students and employees about re-  
14          sources for counseling, reentry, and con-  
15          flict resolution that are available in the  
16          community.

17          “(2) IMPLEMENTATION.—In implementing its  
18          basic drug and violence prevention program under  
19          this subsection or its expanded program under sub-  
20          section (c), a local educational agency may use not  
21          more than 33 percent of the funds such agency re-  
22          ceives under this part for any fiscal year for—

23               “(A) minor remodeling to promote security  
24               and reduce the risk of violence, such as remov-

1           ing lockers, installing better lights, and upgrad-  
2           ing locks; and

3           “(B) acquiring and installing metal detec-  
4           tors and hiring security personnel.

5           “(c) EXPANDED PROGRAM.—

6           “(1) IN GENERAL.—A local educational agency  
7           that demonstrates to the satisfaction of the State  
8           educational agency that such agency has adopted  
9           and implemented a basic drug and violence preven-  
10          tion program described under subsection (b) may  
11          use funds received under this part to supplement  
12          such agency’s basic program, to carry out 1 or more  
13          of the activities described in paragraph (2), or both.

14          “(2) ACTIVITIES.—A local educational agency  
15          described in paragraph (1) may use funds received  
16          under this part for—

17               “(A) programs of drug prevention, health  
18               education, early intervention, counseling,  
19               mentoring, or rehabilitation referral, which em-  
20               phasize students’ sense of individual responsibil-  
21               ity and may include—

22                       “(i) the dissemination of information  
23                       about drug prevention;

24                       “(ii) the training of school personnel,  
25                       parents, students, law enforcement offi-

1 cials, judicial officials, health service pro-  
2 viders, and community leaders in preven-  
3 tion, education, early intervention, counsel-  
4 ing, or rehabilitation referral; and

5 “(iii) the implementation of strategies,  
6 including strategies to integrate the deliv-  
7 ery of services from a variety of providers,  
8 to combat illegal alcohol and other drug  
9 use, such as—

10 “(I) family counseling;

11 “(II) early intervention activities  
12 that prevent family dysfunction, en-  
13 hance school performance, and boost  
14 attachment to school and family; and

15 “(III) activities, such as commu-  
16 nity service projects, that are designed  
17 to increase students’ sense of commu-  
18 nity;

19 “(B) violence prevention programs for  
20 school-aged youth, which emphasize students’  
21 sense of individual responsibility and may in-  
22 clude—

23 “(i) the dissemination of information  
24 about school safety and discipline;

1           “(ii) the training of school personnel,  
2           parents, law enforcement officials, judicial  
3           officials, and community leaders in design-  
4           ing and implementing strategies to prevent  
5           school violence;

6           “(iii) the implementation of strategies,  
7           such as conflict resolution and peer medi-  
8           ation and the use of mentoring programs,  
9           to combat school violence and other forms  
10          of disruptive behavior, such as sexual har-  
11          assment; and

12          “(iv) comprehensive, communitywide  
13          strategies to prevent or reduce illegal gang  
14          activity;

15          “(C) the promotion of before- and after-  
16          school recreational, instructional, cultural, and  
17          artistic programs in supervised community set-  
18          tings; and

19          “(D) the evaluation of any of the activities  
20          authorized by this subsection.

21   **“SEC. 5108. EVALUATION AND REPORTING.**

22          “(a) NATIONAL IMPACT EVALUATION.—The Sec-  
23          retary, in consultation with the Secretary of Health and  
24          Human Services, the Director of the Office of National  
25          Drug Control Policy, and the Attorney General, shall con-



1 duct an independent biennial evaluation of the national  
2 impact of programs under this part and submit a report  
3 of the findings of such evaluation to the President and  
4 the Congress.

5 “(b) STATE REPORT.—

6 “(1) IN GENERAL.—By October 1, 1997, and  
7 every 3 years thereafter, the chief executive officer  
8 of the State, in cooperation with the State edu-  
9 cational agency, shall submit to the Secretary a re-  
10 port—

11 “(A) on the implementation and outcomes  
12 of State programs under section 5104 and sec-  
13 tion 5105(b) and local programs under section  
14 5105(d), as well as an assessment of their effec-  
15 tiveness; and

16 “(B) on the State’s progress toward at-  
17 taining the State’s goals for drug and violence  
18 prevention under subsections (b)(1) and (c)(1)  
19 of section 5103.

20 “(2) REQUIREMENTS.—The report required by  
21 this subsection shall be—

22 “(A) in the form specified by the Sec-  
23 retary;

24 “(B) based on the State’s ongoing evalua-  
25 tion activities, and shall include data on the

1 prevalence of drug use and violence by youth in  
2 schools and communities; and

3 “(C) made readily available to the public.

4 “(c) LOCAL EDUCATIONAL AGENCY REPORT.—Each  
5 local educational agency receiving funds under this part  
6 shall submit to the State educational agency whatever in-  
7 formation, and at whatever intervals, the State requires  
8 to complete the State report required by subsection (b),  
9 including information on the prevalence of drug use and  
10 violence by youth in the schools and the community. Such  
11 information shall be made readily available to the public.

12 **“PART B—POSTSECONDARY DRUG AND**  
13 **VIOLENCE PREVENTION PROGRAMS**

14 **“SEC. 5201. GRANTS TO INSTITUTIONS OF HIGHER EDU-**  
15 **CATION.**

16 “(a) IN GENERAL.—From funds appropriated pursu-  
17 ant to the authority of section 5003(2), the Secretary is  
18 authorized to make grants to, or enter into contracts with,  
19 institutions of higher education, or consortia of such insti-  
20 tutions, for drug and violence prevention programs under  
21 this section. Awards under this section shall support the  
22 development, implementation, validation, and dissemina-  
23 tion of model programs and strategies to promote the safe-  
24 ty of students attending institutions of higher education

1 by preventing violent behavior and the illegal use of alco-  
2 hol and other drugs by such students.

3 “(b) APPLICATIONS.—An institution of higher edu-  
4 cation, or consortium of such institutions, that desires to  
5 receive an award under this section shall submit an appli-  
6 cation to the Secretary at such time, in such manner, and  
7 containing such information as the Secretary may reason-  
8 ably require. The Secretary shall use a peer review process  
9 for reviewing applications for funds under this section.

10 “(c) EQUITABLE PARTICIPATION.—The Secretary  
11 shall make every reasonable effort to ensure the equitable  
12 participation of private and public institutions of higher  
13 education (including community and junior colleges), insti-  
14 tutions of limited enrollment, and institutions in different  
15 geographic regions.

16 **“SEC. 5202. NATIONAL CENTER.**

17 “From funds appropriated pursuant to the authority  
18 of section 5003(2), the Secretary is authorized to support,  
19 through a grant to, or a contract with, an institution of  
20 higher education, a public or private nonprofit organiza-  
21 tion, or a for-profit organization, a national center to pro-  
22 vide training and technical assistance to institutions pro-  
23 viding postsecondary education, including for-profit insti-  
24 tutions, in developing, implementing, evaluating, validat-  
25 ing, replicating, and disseminating model programs and

1 strategies to prevent violence and the use of illegal drugs  
2 by students at such institutions.

3 **“PART C—NATIONAL PROGRAMS**

4 **“SEC. 5301. FEDERAL ACTIVITIES.**

5 “(a) PROGRAM AUTHORIZED.—From funds appro-  
6 priated pursuant to the authority of section 5003(3), the  
7 Secretary of Education, in consultation with the Secretary  
8 of Health and Human Services, the Director of the Office  
9 of National Drug Control Policy, and the Attorney Gen-  
10 eral, shall carry out programs to prevent the illegal use  
11 of drugs and violence among, and promote safety and dis-  
12 cipline for, students at all educational levels, including  
13 prekindergarten through postsecondary. The Secretary  
14 shall carry out such programs directly, or through grants,  
15 contracts, or cooperative agreements with public and pri-  
16 vate nonprofit organizations and individuals, or through  
17 agreements with other Federal agencies, and shall coordi-  
18 nate such programs with other appropriate Federal activi-  
19 ties. Such programs may include—

20 “(1) the development and demonstration of in-  
21 novative strategies for training school personnel,  
22 parents, and members of the community, including  
23 the demonstration of model preservice training pro-  
24 grams for prospective school personnel;

1           “(2) demonstrations and rigorous evaluations of  
2       innovative approaches to drug and violence preven-  
3       tion;

4           “(3) drug and violence prevention research that  
5       is coordinated with other Federal agencies and is di-  
6       rected toward improving programs and activities  
7       under this title;

8           “(4) program evaluations that address issues  
9       not addressed under section 5108(a);

10          “(5) direct services to schools and school sys-  
11       tems afflicted with especially severe drug and vio-  
12       lence problems;

13          “(6) activities in communities designated as  
14       empowerment zones or enterprise communities that  
15       will connect schools to communitywide efforts to re-  
16       duce drug and violence problems;

17          “(7) developing and disseminating drug and  
18       violence prevention materials, including model cur-  
19       ricula; and

20          “(8) other activities that meet unmet national  
21       needs related to the purposes of this title.

22       “(b) PEER REVIEW.—The Secretary shall use a peer  
23       review process in reviewing applications for funds under  
24       this section.

1                   **“PART D—GENERAL PROVISIONS**

2   **“SEC. 5401. DEFINITIONS.**

3           “For the purposes of this title, the following terms  
4 have the following meanings:

5           “(1) DRUG AND VIOLENCE PREVENTION.—The  
6 term ‘drug and violence prevention’ means—

7                   “(A) with respect to drugs, prevention,  
8 early intervention, rehabilitation referral, or  
9 education related to the illegal use of alcohol  
10 and tobacco (nicotine) and the use of controlled,  
11 illegal, addictive, or harmful substances, includ-  
12 ing inhalants and anabolic steroids; and

13                   “(B) with respect to violence, the pro-  
14 motion of school safety, such that students and  
15 school personnel are free from violent and dis-  
16 ruptive acts, including sexual harassment, on  
17 school premises, going to and from school, and  
18 at school-sponsored activities, through the cre-  
19 ation and maintenance of a school environment  
20 that is free of weapons and fosters individual  
21 responsibility and respect for the rights of oth-  
22 ers.

23           “(2) NONPROFIT.—The term ‘nonprofit’, as ap-  
24 plied to a school, agency, organization, or institution  
25 means a school, agency, organization, or institution  
26 owned and operated by 1 or more nonprofit corpora-

1        tions or associations, no part of the net earnings of  
2        which inures, or may lawfully inure, to the benefit  
3        of any private shareholder or individual.

4            “(3) SCHOOL-AGED POPULATION.—The term  
5        ‘school-aged population’ means the population age 5  
6        through 17, as determined by the Secretary on the  
7        basis of the most recent satisfactory data available  
8        from the Department of Commerce.

9            “(4) SCHOOL PERSONNEL.—The term ‘school  
10       personnel’ includes teachers, administrators, guid-  
11       ance counselors, social workers, psychologists,  
12       nurses, librarians, and other support staff who are  
13       employed by a school or who perform services for the  
14       school on a contractual basis.

15    **“SEC. 5402. MATERIALS.**

16        “(a) WRONG AND HARMFUL MESSAGE.—Drug pre-  
17       vention programs supported under this title shall convey  
18       a clear and consistent message that the illegal use of alco-  
19       hol and other drugs is wrong and harmful.

20        “(b) CURRICULUM.—The Secretary shall not pre-  
21       scribe the use of specific curricula for programs supported  
22       under this title, but may evaluate the effectiveness of such  
23       curricula and other strategies in drug and violence preven-  
24       tion.

1   **“SEC. 5403. PROHIBITED USES OF FUNDS.**

2       “‘No funds under this title may be used for—

3           “(1) construction (except for minor remodeling  
4       needed to accomplish the purposes of this part);

5           “(2) drug treatment or rehabilitation; and

6           “(3) psychiatric, psychological, or other medical  
7       treatment or rehabilitation, other than school-based  
8       counseling for students or school personnel who are  
9       victims or witnesses of school-related crime.”.

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